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September 14, 2006

VIA EMAIL

J. Michael McMahon, Clerk
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007

United States v. Douglas Shyne, et al.
S4 05 Cr. 1067 (KMK)

Dear Mr. McMahon:

Enclosed is a Waiver of Appearance which we asked that you file on behalf of defendant Timothy Montgomery in the above matter.

Thank you for your assistance. With best wishes, I am

Sincerely yours,


Robert W. McFarland

RWM/sas
cc: H. Danya Perry, Esq.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

DOUGLAS SHYNE,
NATASHA SINGH,
a/k/a "Beatris Rodrigues,"
NATHANIEL SHYNE,
TOYBE BENNETT,
a/k/a "Dmitriy Makarovich,"
a/k/a "Dmitriy Makervisch,"
a/k/a "Eduardo Rodrigues,"
a/k/a "Cecilio Pena,"
ROBERTO MONTGOMERY,
EPHRAIM RICHARDSON,
NARESH PITAMBAR
JASON WATLER,
STEVEN RIDDICK,
NATANIEL ALEXANDER, and
TIMOTHY MONTGOMERY,

S4 05 CR. 1067 (KMK)

**WAIVER OF DEFENDANT
MONTGOMERY**

Defendants.

NOW COMES defendant Timothy Montgomery, and pursuant to Rule 43 of the Federal Rules of Criminal Procedure, hereby states under penalty of perjury that he was aware of the status conference and proceedings held in this matter on July 11, 2006, and voluntarily waived his right to attend those proceedings.



Timothy Montgomery

Respectfully submitted,

TIMOTHY MONTGOMERY

Robert W. McFarland
McGuireWoods LLP
9000 World Trade Center
Norfolk, VA 23510
757-640-3716

Robert W. McFarland

Robert W. McFarland
Attorney for Defendant Timothy Montgomery

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing was served via electronic mail to E. Danya Perry, Esq., Assistant United States Attorney, One Saint Andrew's Plaza, New York, NY 10007, this 14 day of September, 2006.

R.W. McFarland

Robert W. McFarland

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